



UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

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R. Rissler

Rissler



OFFICE OF GENERAL COUNSEL

IN REPLY REFER TO: B-198241 (RLR)

April 28, 1980

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man's name
see GPL

Thomas G.

The Honorable Tom Loeffler
Member, United States House
of Representatives
727 East Durango, B-209
San Antonio, Texas 78206

Dear Mr. Loeffler:

[Request for

This replies to your letter of March 21, 1980, your reference TL:pop, requesting our assistance in behalf of one of your constituents, Mrs. Cozena N. Garrett, the widow of James Ray Garrett, a deceased former employee of the United States Department of Labor. Through her attorney, Robert E. Luxen, Mrs. Garrett seeks reversal of the decision that her husband did not have optional life insurance coverage under the Federal Employees Group Life Insurance Program at the time of his death.

personal
name

[Benefits]

Optional insurance premiums were deducted from Mr. Garrett's pay during his employment with the Department of Labor from May 1976 until his death on August 11, 1979, and a certificate was issued to him indicating that he had both regular and optional coverage. However, the Department of Labor determined after his death that he had not been eligible for the optional insurance because he had failed to request cancellation of a declination of such insurance made during prior Federal employment and to furnish satisfactory medical evidence of insurability. In a letter to the Department, dated September 24, 1979, the United States Office of Personnel Management (OPM), Compensation Group, confirmed that Mr. Garrett did not have optional insurance coverage since his original waiver had never been properly cancelled.

AGC 000009

Under the current law governing the Federal Employees Group Life Insurance Program, chapter 87 of title 5, United States Code, primary responsibility and authority for its administration, which originally rested with the former United States Civil Service Commission, now resides in OPM. The General Accounting Office has been given no jurisdiction over claims under this program. However, we have conferred with OPM concerning Mrs. Garrett's case and have been advised

The instant

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Life insurance covered
that she may request reconsideration of that Office's initial decision. Such a request should be sent to the Associate Director for Compensation, U.S. Office of Personnel Management, P.O. Box 16, Washington, D.C. 20044. It should state the reasons why Mrs. Garrett believes the OPM decision should be changed and include a copy of that decision and any other documents deemed relevant. The regulations governing reconsideration of optional life insurance decisions were recently revised. See volume 45, Federal Register, April 8, 1980, pages 23636 and 23637, copy enclosed.

We are returning herewith the correspondence and other documents you sent us. Also enclosed are copies of pertinent provisions of law, implementing regulations and instructions, and forms pertaining to the insurance program.

We hope that the foregoing will be of assistance to your constituent.

Sincerely yours,

Harry R. Van Clave
for Milton J. Socolar
General Counsel

Enclosures